

HOUSE BILL 129

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2003 Regular Session
3r1011
CF 3r1012

By: **Delegates Boutin, Costa, Donoghue, McDonough, Murray,
Nathan-Pulliam, Oaks, Redmer, Smigiel, and Weldon**

Introduced and read first time: January 24, 2003

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Child Sexual Offender - Registration**

3 FOR the purpose of altering the definition of child sexual offender under the sexual
4 offender registration provisions to include a person who commits certain crimes
5 involving a child under a certain age; and generally relating to child sexual
6 offenders and registration.

7 BY repealing and reenacting, without amendments,
8 Article - Criminal Procedure
9 Section 11-701(a) and 11-704(a)
10 Annotated Code of Maryland
11 (2001 Volume and 2002 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Criminal Procedure
14 Section 11-701(b)
15 Annotated Code of Maryland
16 (2001 Volume and 2002 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Criminal Procedure**

20 11-701.

21 (a) In this subtitle the following words have the meanings indicated.

22 (b) "Child sexual offender" means a person who:

23 (1) has been convicted of violating § 3-602 of the Criminal Law Article;

1 (2) has been convicted of violating any of the provisions of the rape or
2 sexual offense statutes under §§ 3-303 through 3-307 of the Criminal Law Article for
3 a crime involving a child under the age of [15] 16 years;

4 (3) has been convicted of violating the fourth degree sexual offense
5 statute under § 3-308 of the Criminal Law Article for a crime involving a child under
6 the age of [15] 16 years and has been ordered by the court to register under this
7 subtitle; or

8 (4) has been convicted in another state or in a federal, military, or Native
9 American tribal court of a crime that, if committed in this State, would constitute one
10 of the crimes listed in items (1) and (2) of this subsection.

11 11-704.

12 (a) A person shall register with the person's supervising authority if the
13 person is:

14 (1) a child sexual offender;

15 (2) an offender;

16 (3) a sexually violent offender;

17 (4) a sexually violent predator;

18 (5) a child sexual offender who, before moving into this State, was
19 required to register in another state or by a federal, military, or Native American
20 tribal court for a crime that occurred before October 1, 1995;

21 (6) an offender, sexually violent offender, or sexually violent predator
22 who, before moving into this State, was required to register in another state or by a
23 federal, military, or Native American tribal court for a crime that occurred before July
24 1, 1997; or

25 (7) a child sexual offender, offender, sexually violent offender, or sexually
26 violent predator who is required to register in another state, who is not a resident of
27 this State, and who enters this State:

28 (i) to carry on employment; or

29 (ii) to attend a public or private educational institution, including a
30 secondary school, trade or professional institution, or institution of higher education,
31 as a full-time or part-time student.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2003.